

**EXHIBIT B**  
**AFFIDAVIT OF RICK TYLER**

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**NEW CENTURY FOUNDATION,**

and

**SAMUEL JARED TAYLOR,**

Plaintiffs,

v.

**MICHAEL ROBERTSON,**

*In his official capacity as director of  
Tennessee Department of Environment and  
Conservation,*

Defendant.

Case No. 3:18-cv-00839

Hon. Aleta A. Trauger

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**AFFIDAVIT OF RICK TYLER**

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STATE OF \_\_\_\_\_ )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

Before me, the undersigned Notary Public, on this \_\_\_\_\_ day of September, 2018, personally appeared Rick Tyler, known to me on the basis of satisfactory evidence in the form of government-issued photographic identification to be said credible person of lawful age, who being by me first duly sworn, on his oath, deposes and says under penalty of perjury:

I am involved with the American Freedom Party, which is a political party that, among other things, promotes the interests of European-Americans.

Between June 15, 2018, and June 17, 2018, the American Freedom Party rented facilities at the Montgomery Bell State Park for a conference.

I was personally involved with the American Freedom Party entering into the contract with the Department of Environment and Conservation (Tennessee State Parks) to rent the Montgomery Bell State Park for a conference in June of 2018. Attached to this affidavit is a true and accurate copy of the contract entered into by

and between the American Freedom Party and the Department of Environment and Conservation (Tennessee State Parks).

People who disagree with the political viewpoint of the American Freedom Party sometime protest its events—which necessitates police protection even though the American Freedom Party and its speakers and members are overwhelmingly law-abiding.

By letter dated July 27, 2018, the American Freedom Party received an invoice in the amount of \$21,057.69 due to police protection which was apparently incurred by the Department of Environment and Conservation (Tennessee State Parks) to protect the attendees of the June 2018 American Freedom Party conference from hostile protesters. Attached to this affidavit is a true and accurate copy of the July 27, 2018, invoice.

The \$21,057.69 costs for police protection which was needed due to the hostile community's reaction to our First Amendment-protected political ideas is not insignificant and it will have a chilling effect on the American Freedom Party's ability to have future conferences at the Montgomery Bell State Park.

Had the American Freedom Party not espoused views which some people find to be objectionable, it is inconceivable that the American Freedom Party would have incurred anything close to \$21,057.69 as costs for police protection.

I have personal knowledge of the facts and matters stated herein and I am competent to testify as such if called as a witness before any court of law.

Further affiant sayeth naught.

Rick Tyler  
Rick Tyler

Address: 1174 HWY 64  
OCOEE TN 37361

Phone: 423-599-5807

Email: tylerforcongress@gmail.com

Subscribed and sworn to before me this 17<sup>th</sup> day of September, 2018.

[Signature]  
Notary Public  
State of Tennessee

County of BRADLEY

My commission expires 11-9-18

Acting in the County of BRADLEY

Group # 9018



DEPARTMENT OF ENVIRONMENT AND CONSERVATION  
TENNESSEE STATE PARKS  
GROUP CONTRACT

PARK NAME: MBSP  
ADDRESS: 1000 HOTEL AVENUE  
BURNS, TN. 37029

PHONE: 615-797-3101 EXT:  
FAX: 615-797-3722

EMAILED--05/08/18---REVISED 05/09/18

CONTRACT DUE: 05/18/18 DEPOSIT REQUIREMENT \$900.00 AMT. REC'D \$900.00 DATE: 9/7/2017  
20% SECURITY FEE DUE 5/18/2018 \$6,424.01 AMT. REC'D DATE:

ORGANIZATION: AMERICAN FREEDOM PARTY

CONTACT: RICK TYLER

EMAIL: hccocoe@gmail.com

ADDRESS: 1224 HWY 64

PHONE (423) 303-6601

CITY OCOEE

STATE

TN

ZIP 37361

## GUEST ROOM REQUIREMENTS AND RATES (Attach additional sheets if necessary)

RESERVATION DATES CHECK-IN 6/15/2018 CHECK-OUT 6/17/2018  
FRIDAY SUNDAY

GUEST CHECK IN 4PM GUEST CHECK-OUT ROOMS 11AM VILLAS 10AM

\*\*RATES BASED ON DOUBLE OCCUPANCY/\$10.00 CHARGE EACH ADDITIONAL PERSON 16 YRS OR OLDER\*\*

	Number	RATES	TOTAL
GUEST ROOMS	104	\$90. X 14.75%=\$103.28 (PER ROOM PER NIGHT) SINGLE / DOUBLE OCC	\$21,482.24
SUITE	2	\$245. X 14.75%=\$281.14 (PER SUITE PER NIGHT) 2-BEDROOM	\$1,124.56

SECURITY CHARGE 20% SECURITY CHARGE WILL BE ASSESSED ON THE TOTAL OF THE FINAL INVOICE  
THIS CHARGE IS ESTIMATED AT \$6424.01

CUT OFF RELEASE DATE: 05/11/18

\*\*INDIVIDUALLY PAID ROOMS MUST PAY 1ST NIGHTS STAY TO GUARANTEE THEIR RESERVATION\*\*

TOTAL \$22,606.80

SPECIAL REQUEST PAY @ FRONT DESK-- ROOMS-CONF.ROOM-BANQUET MEAL--RECEPTION---BREAKS-EQUIP  
BAR SET-UP===MUST HAVE CC ON FILE

RESERVATION TYPE INDIVIDUAL ☐ ROOMING LIST DUE 5/15/2018 REC'D

STATE TAX EXEMPTION (check one) ON FILE ☐ NEED ON FILE ☐

## MEETING ROOM

DAY/DATE	TIME PERIOD	TYPE OF SET-UP/FUNCTION	ROOM	NO. OF PERSONS	TOTAL
FRI 06/15/18	7AM-10PM	MEETING	FULL CENTER	300	\$900.00
FRI 06/15/18	7AM-10PM	ASIS	EBR		\$125.00
SAT 06/16/18	7AM-10PM	MEETING	FULL CENTER	300	\$900.00
SAT 06/16/18	7AM-10PM	ASIS	EBR		\$125.00
SUN 06/17/18	7AM-6PM	MEETING	FULL CENTER	300	\$900.00
SUN 06/17/18	7AM-6PM	ASIS	EBR		\$125.00
ALL FOOD AND BEVERAGES IN MEETING ROOM MUST BE PROVIDED BY PARK					
TOTAL + TAX					\$3,374.81

MEAL REQUEST

BREAK REQUEST

Contact: Rachel.Sawyer@tn.gov or 615-797-3101, for meals, breaks, and set ups.

CNO63(REV.4-98)

RDA 134

## TERMS/CONDITIONS & GENERAL POLICIES

### MENU

A complete menu selection for banquets shall be presented to the park four weeks prior to the group arrival date. If menus are not provided, then the menu selection will be determined at the discretion of park management. A final head count is due ONE week prior to group arrival. If not received, the last head count given will be the head count used. Changes made to attendee numbers after this time must receive prior written approval by management.

Initial \_\_\_\_\_ Date \_\_\_\_\_

### BILLING POLICIES

If billing arrangements are requested, prior credit approval must be made at least 30 days in advance with management. The responsible party shall pay all applicable federal, state and county taxes. A deposit and guaranteed credit card will still be required.

Initial \_\_\_\_\_ Date \_\_\_\_\_

### RESERVATIONS

Reservations will be accepted on a "first come first serve basis." A completed Group Contract and the required deposit must be submitted before the reservation is confirmed. Failure to return a signed contract and deposit may result in forfeiting your reservation. When individual reservations are made within a block of rooms, such as family reunions, the required deposit is the first night's lodging rate plus applicable taxes. These individual guarantees within a block of rooms can be made by credit card as well as cash or check.

Initial \_\_\_\_\_ Date \_\_\_\_\_

### DEPOSITS

A cash, check, or credit card deposit equal to a minimum of 20% of the expected balance, including any anticipated catering costs and fees, is required for group reservations. This deposit is required to book and hold the reservation, and the park will hold this deposit as a security deposit to be applied toward any damage costs or ancillary fees and charges assessed to the group or its members or affiliates due to issues, state staff expenses, additional facilities, or damage reasonably related to the group's use of the park or its facilities. This policy excludes TN State and TN University groups.

Initial \_\_\_\_\_ Date \_\_\_\_\_

### CANCELLATION

- Group reservations must be canceled 45 days prior to the arrival date to receive 100% refund of deposit. If canceled 44 to 30 days prior to arrival date, a 50% refund will be given. If canceled 29 days or less – NO REFUND.
- The cancellation date may be extended to 90 days if a group books 50% or more of an inn's rooms or over any premium holiday dates such as Memorial Day, Fourth of July, etc.). The reservations for these groups must be cancelled 90 days prior to the arrival date to receive 100% refund of deposit. If canceled 89 to 60 days prior to arrival date a 50% refund will be given. If canceled 59 days or less – NO REFUND.
- For family reunions and other blocked groups the cancellation period for an individual confirmed room within the block is the same as a group reservation. Each individual reservation must be canceled 45 days prior to the arrival date to receive 100% refund of deposit.

Initial \_\_\_\_\_ Date \_\_\_\_\_

### GENERAL POLICIES

Inn management reserves the right to inspect and control all parties and meetings held on the premises. All food and beverages must be purchased through the park. The responsible party will assist in the enforcement of this clause if the inn deems it necessary. The responsible party will be held accountable for any damage to the building, inn's equipment, decoration or fixtures. The use of confetti or rice is prohibited; however bird seed may be substituted. The park reserves the right to make substitutions for any items or services that are not readily available. Room assignment is subject to change. Rooms keys must be returned to the front desk at check-out. Management will not be responsible for articles lost, stolen or forgotten. The park reserves the right to assess fees or charges above the security deposit for park expenses reasonably related to the group's use of park facilities and for those costs that the park thinks it is reasonably required to expend due to the group's use of the park or its facilities.

### FOR STATE/FEDERAL GROUPS ONLY:

This agreement is subject to the appropriation and availability of state and/or federal funds. Payment by journal voucher is subject to the guidelines of Finance and Administration Policy 12. A state group may journal voucher rooms, suites, cabins, phone calls, light refreshments and meeting rooms if approved by the State Agency Department Head. Meal arrangements must include a specified number of participants with the number guaranteed at least one week prior to the group's arrival date. If the number of participants is not guaranteed, the meal is not considered a group function and all members must pay for their meals and submit Travel Claims for reimbursement.

THIS CONTRACT IS SUBJECT TO THE TERMS AND CONDITIONS PRINTED ABOVE. SIGN AND RETURN THE CONTRACT TO THE PARK ADDRESS.

TOTAL ROOM AND MEETING ROOM CHARGES \$ 24,857.05/ This does NOT include any food/beverage totals.

ANTICIPATED CATERING/FOOD/BEVERAGE CHARGES \$ 7263.00/

TOTAL ANTICIPATED ROOM AND MEETING CHARGES \$ 24,857.05/ Page 5 of 7 Page ID #: 542

AUTHORIZED GROUP REPRESENTATIVE

DATE

*Jonna L*

*5-9-18*

AUTHORIZED PARK REPRESENTATIVE

DATE

*5-9-18*

CONTRACT REVISION DATE

GROUP CONTACT INITIAL \_\_\_\_\_

PARK REPRESENTATIVE INITIAL

*DL*

Montgomery Bell State Park  
1000 Hotel Ave.  
Burns, TN 37029  
(615) 797-3101

American Freedom Party,  
Attn: RICK TYLER  
1224 HWY64

Ocoee TN 37361

Account Code: 43-ZV6176

Invoice #: 10778

Invoice Date: 07/27/18

Page: 1

Terms:

Customer Invoice 10778-American Freedom Party

Date	Item#	Description	Amount
07/27/18	S5	Charges for reasonably required state park staff expenses that exceeded typical staffing expenses for Montgomery Bell State Park's Inn and conference center related to your group's use of the park facilities June 15-17, 2018.	21,057.69

All questions and concerns need to be directed to:

Mike Robertson

Director of Park Operation

TN State Parks

615-532-0434

Mike.Robertson@tn.gov

Total Invoice:

\$21,057.96